APPENDIX

Amici, the Employment Law Center, A Project of the Legal Aid Society of San Francisco, Equal Rights Advocates, Inc., Chinese for Affirmative Action, National Economic Development and Law Center, Human Rights Advocates, Women's Employment Rights Clinic, Professor Maria Blanco, Professor Connie de la Vega, Professor Marci Seville, and Professor Stephanie Wildman are law firms, civil rights organizations, and law professors who seek to secure and protect the civil and constitutional rights of minorities, women and low income persons. *Amici* have a long-standing and abiding interest in securing the greatest constitutional protection for women and minorities under the Fourteenth Amendment to the United States Constitution. Similarly, *amici* advocate that government agencies be afforded the greatest latitude in their endeavor to increase opportunities for groups previously denied equal opportunity.

They have also represented minority- and women-owned business enterprises in cases involving race and gender-conscious relief, including *Fullilove v. Klutznick*, 448 U.S. 448 (1980); *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989); *Northeastern Florida Contractors of America v. Jacksonville*, —— U.S. ——, 113 S. Ct. 2297 (1993); and *Adarand General Constructors Inc. v. Pena*, —— U.S. ——, 115 S. Ct. 2097 (1995).

The Employment Law Center (ELC) is the principal project of the Legal Aid Society of San Francisco which was founded more than eighty years ago to provide legal assistance to poor immigrants in San Francisco. For the last two decades, the ELC has focused almost exclusively on employment-related issues that affect the working poor. A pioneer in the employment law field, the ELC is nationally recognized for its expertise in this area.

Now in its twenty-second year, Equal Rights Advocates, Inc. (ERA) is one of the country's oldest women's law centers dedicated to the empowerment of women through

the establishment of their economic, social, and political equality. Since its inception, ERA has specialized in litigating cases and pursuing public policy initiatives designed to assure women equal access to all of society's benefits including employment, education, and public accommodations. A cornerstone of ERA's efforts to gain entry for women into nontraditional jobs has been to secure and maintain strong, effective affirmative action programs.

Chinese for Affirmative Action ("CAA") is a private, non-profit California corporation with over twenty-seven years of involvement in affirmative action. The organization has been a party in class action lawsuits seeking to integrate police and fire departments. In this role, and in numerous other circumstances, CAA has negotiated the terms of affirmative action programs and has provided expertise to many public and private organizations on how to fashion affirmative action programs.

The National Economic Development and Law Center provides legal and technical assistance to organizations promoting employment and economic opportunities for low-income persons. In recognition of the relationship between women's segregation in poorly compensated occupations and the high number of women living in poverty, the Law Center has been engaged, for the past two years, in efforts to break down the barriers which restrict women's access to more highly compensated jobs. Sex discrimination in employment and education is significant among these factors.

Human Rights Advocates is a non-profit California corporation that provides education about the application of international human rights law in both domestic and international fora. The ultimate objective is to advance the cause of human rights so that basic protections are afforded to all individuals. Human Rights Advocates has submitted *amicus curiae* briefs in cases involving individual rights when international standards might be of aid in interpreting state and federal laws.

The Women's Employment Rights Clinic is part of Golden Gate University School of Law. The clinic is staffed by students who work under the direct supervision of the clinic attorneys who are also professors at the law school. The clinic advises, counsels and represents clients in a variety of employment-related matters. Our emphasis is on serving low income clients who often cannot afford legal services when they confront employment problems. Many of our clients are women of color who face both race and gender-based discrimination on the job.

Professor Maria Blanco is a professor of law at Golden Gate University Law School where she specializes in women's economic rights.

Professor Connie de la Vega is a professor of law at the University of San Francisco School of Law specializing in international human rights law.

Professor Marci Seville is a professor of law at Golden Gate University Law School where she specializes in women's economic rights.

Professor Stephanie Wildman is a professor of law at the University of San Francisco School of Law where she specializes in sex and race discrimination and feminist theory.

In light of *amici*'s dual concern for strengthening constitutional protections for women and maintaining programs designed to remedy past and present pervasive discrimination, they urge this Court to overturn the decisions of the Fourth Circuit and require VMI to admit women to its program. While *amici* believe that this is the necessary outcome under the intermediate scrutiny standard, they also suggest that the Court could take this opportunity to decide that strict scrutiny is the appropriate standard for invidious and intentional gender-based classifications. However, in doing so, *amici* urge this Court to recognize the difference between classifications based on invidious, intentional discrimination and classifications intended to

promote inclusion and equal opportunity by taking race or gender into account.

Amici law firms have submitted *amicus* briefs to this Court in numerous sex discrimination cases, including *California Federal Savings and Loan Ass'n v. Guerra*, 479 U.S. 272 (1987); *International Union, UAW v. Johnson Controls*, 499 U.S. 187 (1991); *Johnson v. Transportation Agency, Santa Clara County*, 480 U.S. 616 (1987); *Harris v. Forklift Systems Inc.*, —— U.S. ——, 114 S. Ct. 367 (1993); and *Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986).